

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ADVANCED CELLULAR SYSTEMS, CORP.

Plaintiff

v.

PUERTO RICO TELEPHONE COMPANY;
CELULARES TELEFONICA

Defendants

Civil No. 97-2511 (JAF)

Civil Action: Antitrust Laws;
Discriminatory Pricing; Breach of Contract;
Tort; Collection of Monies

Jury Trial Demanded

ACS' INFORMATIVE MOTION RE CIRCUIT COURT'S JUDGMENT

TO THE HONORABLE COURT:

Comes now plaintiff Advanced Cellular Systems, Corp. ("ACS"), through the undersigned attorneys and respectfully states and prays as follows:

1. On March 28th, 2007 the Court of Appeals for the 1st Circuit issued judgment in the case of In re Advanced Cellular Systems vacating the judgments of the Bankruptcy Court and the District Court disallowing PRTC's proof of claim as to cellular fraud.¹ On the 31st of March PRTC filed an Informative Motion in the case of reference. Therein PRTC proclaimed that: "this court should take judicial notice of the decision of the Court of Appeals."

2. In the meantime, ACS respectfully requests that this Honorable Court take notice that on the 5th of April 2007 it filed with the Court of Appeals a motion informing its intent of filing a petition for panel rehearing and rehearing en banc – and request for extension of time

¹ 98-07437 (ESL) and 02-1908 (SEC).

until April 17, 2007. Thereafter – on April 10th, 2007 - ACS filed a Petition for a Rehearing en Banc.

WHEREFORE, it is respectfully requested that this Honorable Court take notice of what is herein informed for all legal purposes.

I hereby certify that on April 12th, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to Ricardo F. Casellas, Esq., Ricardo L. Ortiz Colón, Esq. and Mario Arroyo Dávila and Zuleika Llovet-Zurinaga, Esq.

In San Juan, Puerto Rico, this 12th day of April 2007.

s/ Jairo Mellado-Villarreal
Jairo Mellado-Villarreal, 208112
Attorney for plaintiff Advanced Cellular Systems
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